

South Australia

# Emergency Management (Forensic Science SA Vaccination) (COVID-19) Direction 2021

under section 25 of the *Emergency Management Act 2004*

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## Preamble

- 1 On 22 March 2020 Grantley Stevens, Commissioner of Police, being the State Co-ordinator for the State of South Australia pursuant to section 14 of the *Emergency Management Act 2004* (the *Act*), declared pursuant to section 23 of the Act that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
- 2 Now I, Grantley Stevens, being of the opinion that this is necessary to achieve the purposes of the Act, give the following directions pursuant to section 25 of the Act.

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## 1—Short title

This direction may be cited as the *Emergency Management (Forensic Science SA Vaccination) (COVID-19) Direction 2021*.

## 2—Purpose

The purpose of this direction is to:

- (a) maintain the provision of essential State government forensic science and medicine services operating in the State of South Australia despite the presence of COVID-19 in the community;
- (b) minimise the disruption to those services due to workers being furloughed following possible exposure to COVID-19; and
- (c) reduce the risk of the spread of COVID-19 amongst workers and any persons entering the Forensic Science SA facility.

## 3—Definitions

- (1) In this direction—

*ATAGI* means the Australian Technical Advisory Group on Immunisation;

*COVID-19 vaccine* means a COVID-19 vaccine approved or recognised by the Therapeutic Goods Administration;

**Note—**

Details of COVID-19 vaccines recognised by the Therapeutic Goods Administration (from time to time) are available at <https://www.tga.gov.au/covid-19-vaccines-not-registered-australia-current-international-use-tga-advice-recognition>.

**Forensic Science SA employee** means a person who is employed within Forensic Science SA, Attorney-General's Department;

**Forensic Science SA facility** means any part of the premises that is occupied and used by Forensic Science SA;

**TGA** means the Therapeutic Goods Administration;

**vaccinated**—see subclause (2).

- (2) For the purposes of this direction—
- (a) a person is **vaccinated** if the person has completed the full course of a COVID-19 vaccine in accordance with a schedule recommended by ATAGI; and
  - (b) a person will be treated as if the person were **vaccinated** if the person—
    - (i) has a medical exemption certificate provided under clause 4(4)(a)(v) of this direction; or
    - (ii) is less than 12 years and 2 months of age.

#### **4—Vaccination requirements and compliance for persons entering the Forensic Science SA facility**

- (1) A Forensic Science SA employee must not engage in work or perform duties as part of their employment within the Forensic Science SA facility from 20 December 2021 unless—
- (a) the person has received at least one dose of a Therapeutic Goods Administration (TGA) approved or recognised COVID-19 vaccine; and
  - (b) the person has received, or has evidence of a booking to receive, a second dose of a TGA approved or recognised COVID-19 vaccine within the interval after the first dose recommended by the ATAGI for that COVID-19 vaccine.

**Notes—**

The ATAGI clinical guidance on COVID-19 vaccine is available at <https://www.health.gov.au/resources/publications/covid-19-vaccination-atagi-clinical-guidance-on-covid-19-vaccine-in-australia-in-2021>.

- (2) A person, other than a Forensic Science SA employee, must not, from 20 December 2021, enter the Forensic Science SA facility unless the person is vaccinated.

**Notes—**

This direction also applies to all persons who attend the Forensic Science SA facility incidentally, such as delivery drivers or suppliers.

- (3) A person subject to the requirement in subclause (1), or seeking to enter the Forensic Science SA facility after 20 December 2021, must provide the Director of Forensic Science SA or delegate with proof of their vaccination status upon request.
- (4) Despite subclause (1) and (2), a person may enter the Forensic Science SA facility if—
- (a) the person has a medical certificate or letter from a legally qualified medical practitioner certifying that the person—
    - (i) has a medical exemption from receiving a TGA approved COVID-19 vaccine on either a permanent or temporary basis in accordance with the guidelines published from time to time by ATAGI; or
    - (ii) has a medical exemption on either a permanent or temporary basis from receiving the preferred vaccine as recommended by ATAGI for the person's age; or
    - (iii) has an appointment to be assessed by a medical specialist or has commenced an assessment with a medical specialist to determine whether they have a medical exemption from receiving a COVID-19 vaccine on either a permanent or temporary basis in accordance with the guidelines published from time to time by ATAGI;
- and
- (iv) the certificate or letter specifies the nature of the medical exemption, or the medical exemption under investigation, and the basis on which it applies; and
  - (v) the Chief Public Health Officer or her delegate has endorsed the certificate or letter specifying the nature of the exemption; and
  - (vi) the person provides the operator of the Forensic Science SA facility with a copy of the endorsement provided under paragraph (v).

**Notes—**

The *ATAGI expanded guidance on acute major medical conditions that warrant a temporary medical exemption relevant for COVID-19 vaccines* is available at: <https://www.health.gov.au/resources/publications/atagi-expanded-guidance-on-temporary-medical-exemptions-for-covid-19-vaccines>

The *current version of the clinical guidance on use of COVID-19 vaccine in Australia in 2021* is available at:

<https://www.health.gov.au/resources/publications/covid-19-vaccination-atagi-clinical-guidance-on-covid-19-vaccine-in-australia-in-2021>

**5—Powers of authorised officers**

Nothing in this direction derogates from the powers of authorised officers to exercise powers pursuant to the Act.

**IMPORTANT**—FAILURE TO COMPLY WITH THIS DIRECTION IS AN OFFENCE.

This direction operates from the 15<sup>th</sup> day of December 2021 at 1308 hours

SIGNED at ADDELTAIDE on this 15<sup>th</sup> day of December 2021  
at 1308 hours

  
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**GRANTLEY STEVENS**  
STATE CO-ORDINATOR